

Message Text

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ORIGIN L-03

INFO OCT-01 ARA-06 EUR-12 EA-07 ISO-00 OES-06 AID-05
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INR-07 IO-13 NSF-01 NSC-05 NSAE-00 PM-04 SS-15 SP-02
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APPROVED BY OES/SPA - R. C. BREWSTER
OES/APT/BMP - MR. SELLIN
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FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES IMMEDIATE
AMEMBASSY SANTIAGO
AMEMBASSY CANBERRA
INFO AMEMBASSY MOSCOW
AMEMBASSY WARSAW
AMEMBASSY LONDON

C O N F I D E N T I A L STATE 052403

E.O. 11652: GDS

TAGS: XV, TGEN, PL

SUBJECT: ANTARCTIC TREATY: POLISH CONSULTATIVE STATUS

REFERENCE: (A) LONDON 03820; (B) LONDON 03957

1. AS POSTS AWARE, POLAND HAS CONSTRUCTED A SCIENTIFIC RE-
SEARCH STATION AT ADMIRALTY BAY IN ANTARCTICA AND CONDUCTED
SCIENTIFIC RESEARCH EXPEDITIONS IN ANTARCTIC IN TWO
SUCCESSIVE YEARS. AS A RESULT, POLAND CONSIDERS THAT IT
HAS GAINED CONSULTATIVE STATUS UNDER ARTICLE IX OF THE
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ANTARCTIC TREATY. THAT ARTICLE CONFERS SUCH STATUS QTE.
DURING SUCH TIME AS THAT CONTRACTED PARTY DEMONSTRATED ITS
INTEREST IN ANTARCTICA BY CONDUCTING SUBSTANTIAL SCIENTIFIC
RESEARCH ACTIVITY THERE, SUCH AS THE ESTABLISHMENT OF A
SCIENTIFIC STATION OR THE DISPATCH OF A SCIENTIFIC
EXPEDITION UNQTE. ACCORDINGLY, AS REF (A) REPORTS, POLAND
HAS INFORMED UK (HOST OF NINTH CONSULTATIVE MEETING) OF

ITS DESIRE TO ATTEND PREPARATORY MEETING MARCH 14-18 FOR NINTH CONSULTATIVE MEETING.

2. US BELIEVES POLISH ACTIVITIES IN ANTARCTICA SATISFY THE SUBSTANTIAL SCIENTIFIC ACTIVITY TEST OF THE TREATY. WE HAVE REASON TO BELIEVE, HOWEVER, THAT ARGENTINA AND CHILE, AND POSSIBLY OTHERS WITH TERRITORIAL CLAIMS, WILL

OPPOSE POLISH PARTICIPATION AS A CONSULTATIVE PARTY. SINCE MEETINGS REQUIRE UNANIMITY TO TAKE DECISIONS, POTENTIAL FOR DEADLOCK EXISTS. MOREOVER, EXCLUSION OF POLAND NOW WOULD CONFIRM PICTURE OF ANTARCTIC TREATY AS A QTE CLOSED CLUB UNQTE AND FUEL POSSIBLE EFFORTS TO SUPERCEDE TREATY IN THE UN OR OTHER GLOBAL FORA.

3. ACTION ADDRESSEES SHOULD INQUIRE OF HOST GOVERNMENTS AS TO WHETHER THEY PLAN TO INTERPOSE ANY OBJECTION TO POLISH PARTICIPATION IN PREPARATORY MEETING NEXT WEEK OR CONSULTATIVE MEETING IN SEPTEMBER.

4. IF HOST GOVERNMENT WILL NOT RPT NOT OPPOSE POLAND, EMBOFF SHOULD INDICATE OUR AGREEMENT AND SUGGEST THAT THIS IS GOOD APPROACH TO TAKE BECAUSE IT WILL STRENGTHEN THE ANTARCTIC TREATY AND PROMOTES THE PURPOSES OF THE TREATY.

5. IF HOST GOVERNMENT APPEARS UNCERTAIN OR INCLINED TO

OPPOSE POLAND'S CASE, EMBOFF SHOULD DRAW ON FOLLOWING TALK-ING POINTS IN LOW-KEY MANNER, WITHOUT LEAVING IMPRESSION CONFIDENTIAL

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US IS ARGUING CASE FOR POLAND'S SAKE:

--IT SEEMS THAT POLISH ACTIVITY IN ANTARCTICA IS SO SUBSTANTIAL THAT THE TREATY CRITERIA ARE CLEARLY SATISFIED. THIS FACT WILL BE WIDELY RECOGNIZED.

--WE THINK THE POLISH CASE IS A GOOD FIRST CASE BECAUSE IT SUGGESTS A HIGH STANDARD FOR GAINING CONSULTATIVE STATUS. WE NOTE FOR EXAMPLE THAT POLAND HAS ACCEPTED ALL REPEAT ALL OF THE RECOMMENDATIONS OF ALL CONSULTATIVE MEETINGS HELD FROM 1961 - 1975.

--WE SEE THE ISSUE AS A LEGAL ONE--UNDER ARTICLE IX, POLAND HAS A RIGHT TO PARTICIPATE IN THE MEETINGS AND THE TREATY PARTNERS HAVE AN OBLIGATION TO RECOGNIZE THAT RIGHT.

--THE US HAS NO BRIEF TO ARGUE FOR POLAND, BUT WOULD FIND IT DIFFICULT TO DEFEND AN EXCLUSION OF POLAND UNDER

PRESENT CIRCUMSTANCES.

--RECOGNITION OF POLISH CONSULTATIVE STATUS WOULD STRENGTH-
EN THE TREATY.

--SOME PROCEDURAL QUESTIONS MAY BE RAISED BY CONSULTATIVE
PARTIES. WE ARE PREPARED TO DISCUSS THESE AT PREPARATORY
MEETING BUT DO NOT THINK THIS SHOULD BE AN OBSTACLE.

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